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FAX TRANSMITTAL

DATE: November 20, 2003

TO: Examiner Arun K. Chakrabarti

FAX PHONE: 703-746-4979

FROM: Wayne W. Rupert

RE: U.S. Patent Application No. 09/622,635
Filed October 12, 2000
For: CELLULAR ARRAYS FOR RAPID MOLECULAR PROFILING
First Named Inventor: Kallioniemi

OUR FILE: 4239-55278

NO. PAGES 4 (including this cover page)

PLEASE ACKNOWLEDGE RECEIPT BY RETURN FACSIMILE? ☐ Yes ☒ No

CONFIRMATION TO FOLLOW? ☐ Yes ☒ No

CONTACT INFO: If you do not receive all pages or if you have problems receiving transmittal, please call us at (503) 226-7391 as soon as possible and ask for Julie Morgan.

MESSAGE: As we discussed over the telephone today, attached are copies of the Information Disclosure Statement and PTO-1449 Form that were mailed to the U.S. Patent and Trademark Office (USPTO) on June 5, 2003. Please initial the PTO-1449 Form and return it to us by facsimile (503-228-9446). In addition, please make sure that a copy of the initialed PTO-1449 Form is placed in the USPTO file so that the references are listed on the issued patent. Your assistance is greatly appreciated.

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS CONFIDENTIAL AND ONLY FOR THE INTENDED RECIPIENT IDENTIFIED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR USE OF THIS COMMUNICATION IS UNLAWFUL. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT), RETURN THE ORIGINAL MESSAGE TO US, AND RETAIN NO COPY.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Olli Kallioniemi et al.

Art Unit: 1634

Application No. 09/622,635

Filed: October 12, 2000

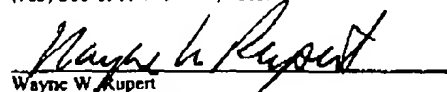
For: CELLULAR ARRAYS FOR RAPID
MOLECULAR PROFILING

Examiner: Arun K. Chakrabarti

Date: June 5, 2003

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence and any documents referred to as being transmitted herewith are being facsimile transmitted to Ms. Karen Creasey, U.S. Patent and Trademark Office, Office of Petitions, to facsimile telephone number (703) 308-6916 on June 5, 2003.


Wayne W. Kupert
Attorney for Applicant

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COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)(4)

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language and/or non-English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent.

Applicants also wish to bring to the U.S. Patent and Trademark Office's attention a recent statement made by Juha Kononen, who is listed as a co-inventor in the present application. Dr. Kononen sent a letter dated March 28, 2003, to Cristina Thalhammer-Reyero, an employee at the Office of Technology Transfer of the National Institutes of Health ("NIH") of the U.S. Department of Health and Human Services, which is an assignee of the present application. In the March 28th letter Dr. Kononen states that "U.S. Patent Application Publication No. US 002/0192702 does not appear to discuss an apparatus for preparing specimen arrays which uses a removable bridge to place the donor block under the punch. While at the NIH, I considered such a bridge to be the best way to hold a donor block in the apparatus for preparing tissue arrays."

U.S. Patent Application Publication No. 2002/0192702 is a publication of a pending application (Serial No. 10/215,762) also directed to tissue microarrays and also listing Dr. Kononen as co-inventor. U.S. Patent Application Serial No. 10/215,762 is a divisional

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PATENT

application of Serial No. 09/622,686, which was already cited in the present application (see Information Disclosure Statement mailed October 7, 2002).

For purposes of placing Dr. Kononen's statement into context, we note that Dr. Kononen is no longer employed at the NIH. In addition, it is Ms. Thalhammer-Reyero's understanding that Dr. Kononen is a principal and/or employee of a company that is developing products in the technology area of the present application.

Applicants also wish to bring to the U.S. Patent and Trademark Office's attention the following co-pending application (a copy of which is enclosed along with a copy of the filing receipt):

U.S. Patent Application Serial No. 10/305,800 to Kononen et al.
(filed November 26, 2002)


The filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in Rule 56.

Applicants filed this Information Disclosure Statement ("IDS") before the mailing of a first Office action after the filing of a request for continued examination. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this Information Disclosure Statement, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A duplicate copy of this Information Disclosure Statement is enclosed.

Respectfully submitted,

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By


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